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Security Council

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Resolution 2351 (2017)

Adopted by the Security Council at its 7933rd meeting, on 28 April 2017

The Security Council,

Recalling and *reaffirming* all its previous resolutions on Western Sahara,

Reaffirming its strong support for the efforts of the Secretary-General and his Personal Envoy to implement resolutions 1754 (2007), 1783 (2007), 1813 (2008), 1871 (2009), 1920 (2010), 1979 (2011), 2044 (2012), 2099 (2013), 2152 (2014), 2218 (2015), and 2285 (2016),

Reaffirming its commitment to assist the parties to achieve a just, lasting, and mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations, and *noting* the role and responsibilities of the parties in this respect,

Reiterating its call upon the parties and the neighbouring states to cooperate more fully with the United Nations and with each other and to strengthen their involvement to end the current impasse and to achieve progress towards a political solution,

Recognizing that achieving a political solution to this long-standing dispute and enhanced cooperation between the Member States of the Maghreb Arab Union would contribute to stability and security in the Sahel region,

Welcoming the efforts of the Secretary-General to keep all peacekeeping operations, including the United Nations Mission for the Referendum in Western Sahara (MINURSO), under close review and reiterating the need for the Council to pursue a rigorous, strategic approach to peacekeeping deployments, and effective management of resources,

Emphasizing the need to regularly evaluate MINURSO's performance such that the mission retains the skills and flexibility needed to effectively carry out its mandate,

Further emphasizing that hiring, retention and assignment processes of the United Nations for MINURSO should allow for mission structures to quickly and easily adapt to changing operational environments, and *noting* the Secretary-General's intention to reform these processes to make the Organization more nimble,

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Recognizing the important role played by MINURSO on the ground and the need for it to fully implement its mandate, including its role in supporting the Personal Envoy to achieve a mutually acceptable political solution,

Expressing concern about the violations of existing agreements, and *calling on* the parties to respect their relevant obligations,

Taking note of the Moroccan proposal presented on 11 April 2007 to the Secretary-General and *welcoming* serious and credible Moroccan efforts to move the process forward towards resolution; also *taking note* of the Polisario Front proposal presented 10 April 2007 to the Secretary-General,

Encouraging in this context, the parties to demonstrate further political will towards a solution including by expanding upon their discussion of each other's proposals and *further encouraging* the neighbouring countries to make contributions to the political process,

Taking note of the four rounds of negotiations held under the auspices of the Secretary-General and *recognizing* the importance of the parties committing to continue the negotiations process,

Encouraging the parties to resume cooperation with the United Nations Office of the High Commissioner for Refugees in implementing the January 2012 updated Plan of Action on Confidence-Building Measures, including programmes focused on linking people who have been divided for more than 40 years due to the conflict and *further encouraging* the parties to consider additional appropriate confidence-building measures,

Stressing the importance of improving the human rights situation in Western Sahara and the Tindouf camps, and *encouraging* the parties to work with the international community to develop and implement independent and credible measures to ensure full respect for human rights, bearing in mind their relevant obligations under international law,

Encouraging the parties to continue in their respective efforts to enhance the promotion and protection of human rights in Western Sahara and the Tindouf refugee camps, including the freedoms of expression and association,

Welcoming in this regard, the recent steps and initiatives taken by Morocco, and the role played by the National Council on Human Rights Commissions operating in Dakhla and Laayoune, and Morocco's interaction with Special Procedures of the United Nations Human Rights Council,

Commending the technical visit of the Office of the United Nations High Commissioner for Human Rights (OHCHR) to Western Sahara in April 2015, and to the Tindouf refugee camps in July-August 2015, and strongly encouraging enhancing cooperation with OHCHR, including through facilitating further visits to the region,

Noting with deep concern the continued hardships faced by Sahrawi refugees and their dependency on external humanitarian assistance, and *further noting* insufficient funding for those living in Tindouf refugee camps and the risk of potential reductions in food assistance,

Reiterating its request for consideration of a refugee registration in the Tindouf refugee camps and *emphasizing* efforts be made in this regard,

Stressing the importance of a commitment by the parties to continue the process of negotiations through the United Nations-sponsored talks and *encouraging* the meaningful participation of women in these,

Recognizing that the consolidation of the status quo is not acceptable, and *noting further* that progress in the negotiations is essential in order to improve the quality of life of the people of Western Sahara in all its aspects,

Expressing gratitude for the efforts of the Secretary-General's Personal Envoy for Western Sahara, Ambassador Christopher Ross, throughout his tenure, and *affirming* its continued full support for the Secretary-General's Personal Envoy for Western Sahara in facilitating negotiations between the parties, and *calling on* the parties and neighbouring states to cooperate fully with the Personal Envoy,

Affirming full support for the Special Representative of the Secretary-General for Western Sahara and Head of MINURSO Kim Bolduc,

Having considered the report of the Secretary-General of 10 April 2017 (S/2017/307),

1. *Decides* to extend the mandate of MINURSO until 30 April 2018;

2. *Reaffirms* the need for full respect of the military agreements reached with MINURSO with regard to the ceasefire and *calls on* the parties to adhere fully to those agreements;

3. *Recognizes* that the recent crisis in the buffer strip in Guerguerat raises fundamental questions related to the ceasefire and related agreements and *encourages* the Secretary-General to explore ways that such questions can be resolved;

4. *Calls upon* all parties to cooperate fully with the operations of MINURSO, including its free interaction with all interlocutors, and to take the necessary steps to ensure the security of as well as unhindered movement and immediate access for the United Nations and associated personnel in carrying out their mandate, in conformity with existing agreements;

5. *Emphasizes* the importance of the parties' commitment to continue the process of preparation for a fifth round of negotiations, and *recalls* its endorsement of the recommendation in the report of 14 April 2008 (S/2008/251) that realism and a spirit of compromise by the parties are essential to achieve progress in negotiations, and *encourages* the neighbouring countries to make important contributions to this process;

6. *Calls upon* the parties to show political will and work in an atmosphere propitious for dialogue in order to resume negotiations, thus ensuring implementation of resolutions 1754 (2007), 1783 (2007), 1813 (2008), 1871 (2009), 1920 (2010), 1979 (2011), 2044 (2012), 2099 (2013), 2152 (2014), and 2218 (2015) and the success of negotiations;

7. *Affirms* its full support for the commitment of the Secretary-General and his Personal Envoy towards a solution to the question of Western Sahara in this context to relaunch the negotiating process with a new dynamic and a new spirit leading to the resumption of a political process with the aim of reaching a mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations;

8. *Calls upon* the parties to resume negotiations under the auspices of the Secretary-General without preconditions and in good faith, taking into account the efforts made since 2006 and subsequent developments, with a view to achieving a just, lasting, and mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara in the context of arrangements

consistent with the principles and purposes of the Charter of the United Nations, and noting the role and responsibilities of the parties in this respect;

9. *Invites* Member States to lend appropriate assistance to these talks;

10. *Requests* the Secretary-General to brief the Security Council on a regular basis, and at least twice a year, on the status and progress of these negotiations under his auspices, on the implementation of this resolution, challenges to MINURSO's operations and steps taken to address them, *expresses its intention* to meet to receive and discuss his briefings and in this regard, *further requests* the Secretary-General to provide a report on the situation in Western Sahara well before the end of the mandate period;

11. *Further requests* the Secretary-General to update the Security Council within six months of the appointment of the new Personal Envoy on (i) ways in which the Personal Envoy, working with the parties, is progressing towards a mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations, and present a clear path forward; (ii) how MINURSO's performance measures are being developed and implemented (iii) how structures and staffing can be reorganized to achieve mission goals efficiently, and (iv) how new technologies are being considered to reduce risk, improve force protection, and better implement the mandate of MINURSO;

12. *Encourages* the parties to resume cooperation with the Office of the United Nations High Commissioner for Refugees to review and, where possible, expand confidence-building measures;

13. *Urges* Member States to provide new and additional voluntary contributions to fund food programmes to ensure that the humanitarian needs of refugees are adequately addressed and avoid reductions in food rations;

14. *Requests* the Secretary-General to continue to take the necessary measures to ensure full compliance in MINURSO with the United Nations zero-tolerance policy on sexual exploitation and abuse and to keep the Council informed, and urges troop-contributing countries to take appropriate preventive action including predeployment awareness training, and other action to ensure full accountability in cases of such conduct involving their personnel;

15. *Supports* an increase in the ratio of medical personnel within the current uniformed authorization as requested in the most recent report of the Secretary-General to address the severely overstretched medical capacity of MINURSO;

16. *Decides* to remain seized of the matter.